



**The Punjab Money Lending and Debtors Protection Laws (Extension and  
Amendment) Act, 1960**

Act 44 of 1960

**Keyword(s):**  
Transferred Territories

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THE PUNJAB MONEY LENDING AND DEBTORS'  
PROTECTION LAWS (EXTENSION AND  
AMENDMENT ) ACT, 1960.

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and all rules, notifications and orders made, and all directions or instructions issued, thereunder, which are in force immediately before the commencement of this Act in the territories which, immediately before the 1st November, 1956, were comprised in the State of Punjab are hereby extended to and shall be in force in, the transferred territories.

(2) With effect from the commencement of this Act, the amendments specified in column 4 of the Schedule shall be made in the Acts specified against them in column 3 thereof.

Repeal and  
Savings.

4. If immediately before the commencement of this Act there is in force in the transferred territories any law corresponding to any of the Acts specified in sub-section (1) of section 3 or rules, notifications, and orders made directions or instructions issued, thereunder, that law, including the Patiala Relief of Indebtedness Act, 1999 Bk. and the Pepsu Moneylanders Act, 1956, shall upon the commencement of this Act, save as otherwise expressly provided in this Act, stand repealed :

Provided that such repeal shall not affect —

- (a) the previous operation of any law so repealed or anything duly done or suffered thereunder ; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed ; or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed ; or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Act had not been passed :

Provided further that anything done or any action taken under law so repealed shall be deemed to have been done or taken under the corresponding provision of the enactment extended by sub-section (1)

of section 3 and shall continue to be in force accordingly, unless and until superseded by anything done or any action taken under the enactment so extended.

5. If any difficulty arises in giving effect to the provisions of any of the Acts, rules or orders or instructions or directions now extended to the territories in which they were not in force before the commencement of this Act, the State Government may, by order notified in the Official Gazette, make such provisions or give such directions as appear to it to be necessary or expedient for the removal of the difficulty.

Power to  
remove  
difficulties.

## THE SCHEDULE

[See section 3 (2)]

## Enactments Amended

Year	No.	Short title	Amendments
1	2	3	4
1930	1	The Punjab Regulation of Accounts Act, 1930.	<p>After section 4, insert the following section namely :—</p> <p>"4-A. (1) Every creditor who receives repayment from his debtor on account of any loan advanced to him, shall forthwith give a receipt therefor.</p> <p>(2) Notwithstanding anything contained in any other enactment for the time being in force in any suit or proceeding relating to a loan, if the court finds that the provisions of sub-section (1) have not been complied with by the creditor it shall, if the plaintiff's claim is established in whole or any part, disallow the whole or any portion of the interest found due, as may seem reasonable to the court in the circumstances of the case, and may also disallow costs.</p> <p>(3) The Provisions of this section shall not apply to any loan made before the commencement of the Punjab Moneylending and Debtors' Protection Laws (Extension and Amendment) Act, 1960, unless any fresh transaction in respect of such loan is made after such commencement."</p>

Receipt for  
repayment of  
loan.

Year	No.	Short title	Amendments
1	2	3	4
1936		The Punjab Debtors' Protection Act, 1936	<p>(1) Sections 4, 5, 6, 6A, 7 and 8 shall be omitted and in section 10, after clause (2), the following clause shall be added :—</p> <p>"(3) sub portion of the judgement debtor's land, not exceeding fifty per centum thereof, shall not be liable to attachment or sale in the execution of a decree for the payment of money as in the opinion of the court, having regard to the judgement-debtor's income from all sources except such income as is dependent on the will of another person, is sufficient to provide for the maintenance of the judgement debtor and the members of his family who are dependent on him."</p> <p>(2) After section 11A, insert the following sections, namely :—</p> <p>"11B. The Court may, at any time on the application of a judgment-debtor, after notice to the decree-holder, direct that the amount of any decree passed against him, whether before or after the commencement of the Punjab Moneylending and Debtors' Protection Laws (Extension and Amendment) Act, 1960, in respect of a loan shall be paid in such number of instalments and subject to such conditions, on the dates fixed by it, having regard to the circumstances of the judgement debtor and</p>

Power to direct payment of decretal amount by instalment.

Year	No.	Short title	Amendment
1	2	3	4
			<p>the amount of the decree, as it considers fit. During the pendency of an enquiry under this section, the court may, subject to such conditions as it may impose, order the stay of execution of the decree. Such order shall be deemed to have been passed under section 47 of the Code of Civil Procedure, 1908.</p> <p>11C. No money lender shall receive from a debtor or intending debtor any sum other than reasonable costs of investigation title to the property, costs of stamp, registration of documents and other usual out of pocket expenses in cases where an agreement between the parties includes a stipulation that property is to be given as security or by way of mortgage and where both parties have agreed to such costs and reimbursement thereof or where such costs, charges or expenses are leviable under any law for the time being in force."</p>